

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5132

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: DEVELOPMENT

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 9 DAY OF JANUARY , 2014

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, APPENDIX D, BUILDINGS AND CONSTRUCTION, CHAPTER 1 ADMINISTRATION, SECTION 108.5 BUILDING, 108.5.10 MINIMUM FINISHED FLOOR ELEVATIONS.

WHEREAS, the Legislature of the State of Louisiana has in LSA RS 38:84 delegated responsibility to local governmental units to adopt regulation to minimize flood losses: and

WHEREAS, flood hazard areas of St. Tammany Parish are subject to periodic inundation which result in loss of property, health and safety hazards, all of which adversely affect public health, safety hazards, all of which adversely affect public health, safety and general welfare; and

WHEREAS, in Chapter 7 of the ST. Tammany Parish Code of Ordinance, and in St. Tammany Parish Subdivision Regulatory Ordinance 499, the Parish has enacted extensive measures to address the adverse effects associated with drainage and flooding; and

WHEREAS, in continuing effort to accomplish the purpose of protecting the health, welfare and safety and property of the residents of St. Tammany Parish from the adverse impacts of flooding, this Ordinance specifies minimum finished floor elevation for all residential structures using the requirements set for herein.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the St. Tammany Parish Code of Ordinances, Appendix D, Chapter 1 Administration, Section 108.5 Building, 108.5.10 Minimum Finished Floor Elevations is amended as follows:

108.5.10 Minimum Finished Floor Elevations

A. Minimum finished floor elevations for residential structures in flood zone "C" shall be no less than twelve (12) inches above the centerline of street or top of curb fronting the home, whichever is greater. For residential structures located in flood zone "A", the minimum finished floor elevation shall be at the base flood elevation or twelve (12) inches above the centerline of street or top of curb fronting the home, whatever is greater. For residential lots less than 90 feet wide in all flood zones, structures shall be raised if more than 24 inches of fill is required to satisfy this ordinance. The Department of Engineering shall have the ability to grant variances for lots less than 90 feet wide in subdivisions with approved fill plans. Fill required for all lots in flood zone "A" or in "critical drainage areas" shall be mitigated in accordance with Chapter 7 of the St. Tammany Parish Code of Ordinances.

B. When determining the elevation required above, ~~T~~the centerline of street or top of curb elevation ~~shall be taken~~ where the grade is highest along the front width of the lot shall be the baseline elevation. For the case where a lot is at the corner of two (2) streets, the centerline of street or top of curb elevation ~~shall be taken~~ where the grade is the highest along the front and side of the lot adjacent to the corner shall be the baseline elevation.

C. The Department of Permits or Department of Engineering may require ~~T~~the building permit applicant ~~shall~~ to submit an elevation certificate by a professional land surveyor noting the highest street centerline or top of curb elevation along the front width of the lot in addition to the top of form board elevation representing the finished floor elevation, if the requirements set out in sections A and B stated above ~~above referenced standard are is not clearly meant.~~ Elevations shall be tied to the NAVD88 vertical

datum. In such cases, ~~the~~ the elevation certificate shall be ~~approved~~ received by the Permit Department prior to ~~calling for approval~~ of a preliminary drainage inspection. For the case where a home is raised, the elevation certificate shall be required prior to the framing inspection.

D. The Department of Engineering may grant variances where existing topography makes it impractical to raise structures above the street centerline/top of curb and/or negatively impacts drainage for surrounding lots.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 6 DAY OF FEBRUARY , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: January 2 , 2013

Published Adoption: _____ , 2013

Delivered to Parish President: _____ , 2013 at _____

Returned to Council Clerk: _____ , 2013 at _____

ADMINISTRATIVE COMMENTS

Ordinance Calendar Number 3538AA adopted in 2007 amended the Building Code to establish minimum standards for the Finished Floor Elevation of new structure, including a requirement that the finished floor elevation be at base flood elevation or one foot higher, whichever is greater.

As part of that ordinance, all new structures required that an elevation certificate be provided prior to the preliminary drainage inspection.

This requirement has added a significant cost to the construction of homes that clearly meet the minimum standards.

This amendment does not remove the minimum elevation standard, but would remove the mandatory requirement that a certificate be provided, unless the Department of Permits or the Department of Engineering deem it necessary to confirm compliance with the regulation.